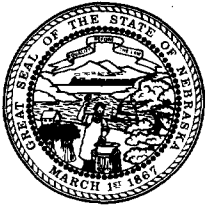


STATE OF NEBRASKA

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E. Benjamin Nelson
Governor

DEPARTMENT OF ADMINISTRATIVE SERVICES
Lawrence S. Primeau
Director

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FEB 11 1993

February 2, 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Ms. Donna R. Searcy, Secretary
Federal Communications Commission
Washington, D.C. 20554

RE: Comments to PR Docket No. 92-235 Regarding
Replacement of Part 90 by Part 88

Dear Ms. Searcy:

The attached comments in the matter of PR Docket 92-235 represent the position of the State of Nebraska, Division of Communications.

Please consider the State of Nebraska, Division of Communications as a party of interest in this matter, and include our comments as a part of the official record.

Sincerely,

A handwritten signature in cursive script that reads "Michael D. Hogan".

Michael D. Hogan
Radio Network Manager
Division of Communications

MH/bab
Enclosure

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FEB 11 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

In the Matter of:

Replacement of Part 90 by Part
88 to Revise the Private Land
Mobile Radio Services and
Modify the Policies Governing
Them.

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PR Docket No. 92-235

TO: The Commission

Comments of the

State of Nebraska, Nebraska Division of Communications

The Nebraska Division of Communications (NDOC) submits these comments in response to the Notice of Proposed Rule Making (NPRM) in PR Docket No. 92-235, released by the Commission on November 6, 1992.

The Commission's NPRM proposes to increase channel capacity in the frequency bands below 512MHz, to promote more efficient use of these channels, and to simplify the policies governing the use of these bands by the users throughout the nation.

It is obvious that the Commission spent a great deal of time and effort in developing the NPRM. The NDOC agrees with the intent of the Commission's proposal. However, we are concerned that portions of the NPRM will cause major problems for public safety/local government entities.

In the following paragraphs are the areas of major concern to the State of Nebraska. In some instances we suggest alternatives that the Commission may wish to consider.

It appears that Section 88.231 would prohibit mobile relay (repeater) operations in the 150-174MHz band. Mobile relays in this band are vital to communications for many public safety agencies in Nebraska. We suggest the Commission consider assigning channels in the 150-174MHz band in pairs similar to the methods used in UHF and 800MHz.

Under the Commission's proposal, public safety actually loses exclusive channel assignments in the 150-174MHz band. The proposal's suggestion that public safety will gain channels is based on the General Category pool assignments. Public safety cannot share channel assignments with non-public safety entities. Our channel usage requirements and funding methods are too different to permit fair access to these channels.

Interweaving non-public safety frequencies with public safety frequencies will cause similar problems we face today. Most notably in the frequency coordination area. Other problems will also occur due to adjacent channel interference. The NDOC suggests that channels in the 150-174MHz band be assigned to public safety in exclusive blocks. Similar to the method used in the NPSPAC assignments.

The NDOC does not believe that the proposed method of limiting transmitter power (Section 88.429) is a feasible method. Limiting power as proposed will severely hamper most of our State's state-wide systems, as well as many county-wide public safety systems. We believe that the Commission should develop rules and guidelines that will assist engineers and frequency coordinators in designing radio systems that will cover specified geo-political boundaries. This method is now used in the NPSPAC Regional Plans and appears to provide for maximum reuse of channels.

We recently read that the Federal Government adopted 6.25KHz bandwidth as their standard bandwidth in the 150-174KHz band. The bandwidth proposed in the NPRM suggests 5KHz for the 150-174MHz band. In Nebraska we communicate with several Federal agencies. Adopting dual standards for the bandwidth will cause severe problems for state/local governments requiring communications with Federal agencies. The NDOC concurs with The Associate Public Safety Communications Officers, Inc.'s (APCO) recommendation to adopt 6.25KHz as the ultimate goal for the bandwidth in all bands.

The proposed 3KHz modulation deviation does not appear to be workable, at least at this time. Industry sources have informed us that the reduced deviation will make paging receivers inoperative. We also understand that the 3KHz deviation will render CTCSS unusable. We believe that this item requires further review by the Commission. Perhaps the 4KHz deviation adopted as the standard for the NPSPAC 800MHz channels could be used.

The NPRM spells out deadlines and cut-over dates for implementing various aspects of the new rules. Many of the changes rely on new technologies being developed and put into production by the industry. The Commission's proposal does not take into consideration that the equipment may not be available, e.i.: Section 88.413, Table 1, Note 2.

Public Safety Communications requires a very high quality of service, where as businesses and other forms of land-mobile operations are not always as critical about interference and channel congestion. The NDOC suggests the Commission take advantage of the rule rewrite to develop separate rules for public safety. Either create a whole new part, or create a separate section within the new Part 88.

The proposed frequency stability (Section 88.425) of .1ppm for stations above 174MHz does not appear to be feasible at this time. This is only one of several technical deficiencies that we have found in the NPRM. The NDOC suggests that the Commission work with the radio industry in isolating items that are not feasible, or will cause major problems to land mobile radio users if the NPRM is passed.

The NDOC serves as one of APCO's local frequency advisors. Past regulations have offered little support in an ever increasing difficult task. The NPRM as written, once again gives very little guidance to the frequency coordinators. The NPRM suggests that

Public Safety Radio Service applicants would be permitted to use any of the current public safety frequency coordinators. Based on our past experiences and our knowledge of the coordination systems in place and authorized by the Commission, this would be a grave mistake. Coordinators do not share a common database, therefore, real-time information is not available to the coordinators. Two separate coordinating bodies could be working on two applications for the same frequency. Standards for one coordinating entity are not as stringent as others. Again, this goes back to the lack of standards and guidelines for the coordinators. The NDOC suggests that the Commission work with representatives of the various coordination groups to develop standards and a system that will work and at a reasonable cost.

The NDOC fully supports the efforts of the Commission in this NPRM. We appreciate the fact that in a task as large as this, there are going to be many questions and differences of how to resolve problems and migrate to the future. We hope that you will give our concerns and suggestions serious consideration as you move toward adopting this proposal.